

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JOHN BENSON,
Plaintiff,
v.

Civil Action No. 05-11112-RWZ

MARRIOTT INTERNATIONAL, INC.
Defendant.

**DEFENDANT'S MOTION TO ENFORCE SETTLEMENT
AGREEMENT OR TO AMEND ITS ANSWER**

The Defendant, Marriott International, Inc., hereby moves the Court to enforce a settlement agreement entered into by the parties through counsel or, in the alternative, for leave to amend its Answer to add a counterclaim for breach of settlement agreement.

In support of its motion, the defendant files herewith its supporting Memorandum together with the Affidavit of Kevin B. Callanan with exhibits.

Request For Oral Argument

Defendant respectfully requests oral argument to assist the Court in deciding this motion.

Respectfully submitted,

MARRIOTT INTERNATIONAL, INC.
By its attorney,

/s/ Kevin B. Callanan

Kevin B. Callanan BBO#070620
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Certificate of Service

I hereby certify that a true copy of the foregoing document was served on counsel of record for the plaintiff, John W. Davis, Davis & Davis P.C., 77 Franklin Street, 3rd Floor, Boston, MA 02110 by e-mail and by regular mail on February 23, 2006.

/s/ Kevin B. Callanan

Kevin B. Callanan